

REMARKS

Claim 20 was rejected to as failing to comply with the written description requirement. Applicants cannot agree. Applicants wish to point out that, according to MPEP 2163.04, the description as filed is presumed to be adequate; unless or until sufficient evidence or reasoning to the contrary has been presented by the examiner to rebut the presumption. The Office Action merely states that “nowhere in the instant specification is it described how or with what process parameters the hydrolysis step is “controlled” in order to produce such a selected particle size distribution”. Contrary to this premise, at least Examples 11 and 12, as well as paragraphs [0059] – [0064] and [0098] - [0108] provide adequate guidance to one skilled in the art to make and use the invention. Therefore, the Action does not provide a *prima facie* case of failure to meet the written description since it does not provide reasons why a person skilled in the art at the time the application was filed would not have recognized from at least Examples 11 and 12, as well as paragraphs [0059] – [0064] and [0098] - [0108] that the applicants were in possession of the invention as claimed in claim 24. Withdrawal of the rejection is proper and requested.

Several claims were rejected as being indefinite for lacking antecedent basis and for other minor grounds. The rejected claims have been amended to put them in better form without changing the scope of the claims. Therefore, it is believed that the rejections are now moot.

Claims 1-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rahm in view of Watanabe. Applicants respectfully traverse.

The Office Action's statement that Rahm "may differ" disregards the premise of the stated rejection under 35 U.S.C. 103, which necessarily admits that Rahm does not teach or suggest all of the features required by the claims. Accordingly, the present response will assume that the Examiner admits that Rahm does not teach or suggest solvent extracting titanyl sulfate from a leach liquor and then stripping the titanyl sulfate for its further recovery. The Action asserts that it would have been obvious to solvent extract titanyl sulfate and strip same for its further treatment because each reference is drawn to a similar sulfate process and solvent extracting titanyl sulfate provides a sulfate process which discharges no waste acid.

The stated premise of the motivation to combine Rahm and Watanabe is false. The action states that it would have been obvious (i.e., one of skill in the art would have been motivated to combine Rahm and Watanabe) because solvent extracting titanyl sulfate in the process of Rahm avoids discharge of waste acid. In fact, the process of Rahm already avoids discharge of waste acid in that spent acid (27) is concentrated in concentrator (28) and combined with fresh acid (12). In fact, Rahm points out that

[a] significant advantage of the process of the present invention is that it reduces or even eliminates the severe "spent acid" disposal problem that is characteristic of the conventional sulphate process for the manufacture of titanium dioxide pigment. Specifically, the spent acid resulting from the digestion, crystallization and hydrolysis steps of the process are reprocessed or recycled for use in conducting the digestion reaction with ilmenite ore. Thus, the process of the present invention is free or substantially free of waste spent acid. (col. 10, lines 48-57)

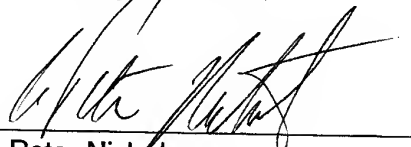
In view of Rahm's clear teaching that its process is free of or substantially free of waste spent acid, the premise for combining Rahm and Watanabe does not exist. A *prima facie* case of obviousness has not and can not be established. Therefore, the rejection should be withdrawn.

Moreover, even if Rahm and Watanabe were to be combined – and Applicants assert that such combination is not tenable – the combination still does not teach the claimed process. In short, neither Rahm nor Watanabe teach or suggest the use of a raffinate from the solvent extraction step be used as part of the leach solution for leaching the titaniferous material. In the complete absence of any suggestion or teaching of this step, the proposed combination cannot and does not render obvious the present claims.

With respect to the obviousness-type double patenting rejection, that will be addressed upon notification that the present claims are allowable.

It is believed that all the claims are in condition to be allowed. The Examiner is invited to contact the undersigned attorney for the Applicant via telephone if such communication would expedite allowance of this application. If, for any reason, the Examiner feels that the above amendments and remarks do not put the claims in condition for allowance, the undersigned attorney can be reached at (312) 321-4276 to resolve any remaining issues.

Respectfully submitted,



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